

**CITY OF WESLACO  
Invitation for Proposal**

The City of Weslaco hereby requests sealed Proposals for the following:

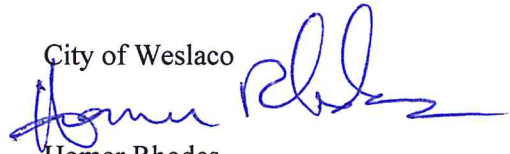
**Retail Energy Provider / RFP No.: 2016-17-02**

Sealed proposals addressed to Homer Rhodes (Purchasing Office, Finance Department), will be accepted at the Weslaco City Hall, 255 S. Kansas Avenue, Weslaco, Texas 78596, until **3:00 p.m.** on **October 25, 2016** at which time they will be opened and read aloud. Please mark envelope, Sealed Proposal

**“Retail Energy Provider / RFP No.: 2016-17-02”**

Potential Vendors/Respondents are advised that the documents can be downloaded from the City of Weslaco web page address: [www.weslacotx.gov](http://www.weslacotx.gov), and may also be secured at the Weslaco City Hall Purchasing Office, 255 S. Kansas Avenue, Weslaco, Texas 78596, or by calling 956.447.2240. Be advised that if your company is contemplating on submitting a proposal for this project you must submit a **“VENDOR’S NOTICE OF INTENT TO SUBMIT A PROPOSAL”** form to the Purchasing Office, so that any changes/additions via addendum form can be forwarded to your company. **No electronic / e-mail proposals will be accepted.**

The City of Weslaco reserves the right to accept or reject any or all RFP’s, to waive any informalities, and to accept the vendor to be the best and most advantageous to the City and to hold RFP’s for a period of sixty (60) days without taking action, for the purpose of reviewing and investigation of vendor’s qualifications prior to award. Submissions received past the aforementioned date and time will not be accepted by the Purchasing Office.

City of Weslaco  
  
Homer Rhodes,  
Purchasing Office / Finance Department  
[hrhodes@weslacotx.gov](mailto:hrhodes@weslacotx.gov)



## VENDOR'S NOTICE OF INTENT TO SUBMIT A PROPOSAL

If you intend to submit a Proposal for **Retail Energy Provider – RFP No.: 2016-17-02** with the City of Weslaco as outlined in the specifications, please indicate your intention by signing, dating, and returning this form to the address below prior to **October 25, 2016** so that you may receive any addendums to the specifications should the need arise.

**Homer Rhodes  
City of Weslaco  
Purchasing Office  
255 S. Kansas Avenue  
Weslaco, Texas 78596  
Phone: 956.447.2240  
Fax: 956.969.8452  
hrhodes@weslacotx.gov**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
(print / contact person)

Title: \_\_\_\_\_ Company/Agency: \_\_\_\_\_

Mailing  
Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

Proposal No.: 2016-17-02

## **SECTION 1 INTRODUCTION**

### **1.1 City of Weslaco Description**

The City of Weslaco ("City") is a Texas home rule city with a population of approximately 37,601. It is located in ERCOT's South zone. The City uses approximately 12,500,000 kWh of electricity annually.

### **1.2 Purpose of RFP**

The City is issuing this RFP to solicit pricing proposals from retail electric providers (REP's) to meet its power and energy requirements. The requested power supply proposals are to meet the total power and energy requirements, including any load growth occurring during the term of the supply contract.

## **SECTION 2 INSTRUCTIONS AND RESPONSE REQUIREMENTS**

### **2.1 Acceptance and Consideration of Proposals**

- A. The City reserves the right to accept or reject any or all proposals, to waive informalities and minor technicalities, or to cancel this RFP in part or in its entirety, according to what the City deems is in its best interest. The City will only accept responses from parties who do not receive compensation from Retail Electric Providers (REPs) that is embedded in the energy price charged to the City unless it is explicitly stated as a separate line item in the bill to the City.
- B. Responses to this RFP will be in two stages. Respondents will first be asked to respond to a questionnaire and send a copy of the proposed contract under which service will be provided. After receipt the City will review the responses and contract submissions and ask questions of particular respondents, if necessary. After a thorough review of the contract, the City will then request executable price bids from Respondents. The City may act upon these price bids or defer action and request further price bids at a future date. All price bids must remain open until 12:00 Noon CPT of the business day following the date they are submitted. The City will not disclose bid prices to other Respondents while valid and a Respondent will not be allowed to revise their bid once submitted.
- C. Initial proposal responses should be provided in writing by the deadline specified in the RFP. The City will only solicit executable pricing bids from Respondents who provided an accepted response to the questionnaire and sample contract. These executable pricing bids may be provided via fax or other electronic means, as long as the manner of submission provides a verifiable record of portions of the executable bid prices submitted. Revisions to submitted prices will not be accepted.
- D. Responses and bid price responses received after the stated deadline for submittal will not be accepted under any circumstances.
- E. Unsigned responses to the questionnaires will NOT be considered.



- F. Proposals qualified with conditional clauses, or alterations or irregularities of any kind are subject to disqualification by the City, at its option.
- G. All accepted proposals will become the property of the City upon submission.
- H. All costs incurred in reviewing, analyzing, or responding to this RFP will be borne entirely by the Respondent. The City will not directly reimburse any Respondent or potential Respondent any costs associated with responding to this RFP.
- I. All proposals must be complete and convey all of the information requested to be considered responsive. If the proposal fails to conform to the essential requirements of the RFP, the City alone will determine whether the variance is significant enough to consider the proposal a candidate for further consideration.
- J. The City will evaluate all responses considering the financial standing of the respondent, the extent to which the respondent's goods and services meet the needs of the City, the quality of the goods and services provided and the nature of the charges under the proposed contract and the long term cost to the City.

## 2.2 Submittal Deadline and Location

- A. All Respondent's Questionnaire Forms, Requested Documentation, and Sample Contracts must be received by the City no later than 3:00 P.M. CPT, **October 25, 2016**. **Electronic submissions are not acceptable.**
- B. Respondent's price bids must be received by the deadline stated in the request for bid prices.
- C. Submit responses to materials requested in A and B. to:

Homer Rhodes  
City of Weslaco  
Purchasing Office  
255 S. Kansas Ave.  
Weslaco, Texas 78596  
Phone: 956.447.2240  
Fax: 956.969.8452  
[hrhodes@weslacotx.gov](mailto:hrhodes@weslacotx.gov)

## 2.3 City Contacts

Any questions or concerns regarding this Request for Proposal shall be directed to same, referenced in 2.2 C. above. The City specifically requires that Respondents restrict all contact and questions regarding this RFP to the above named individual. Violation of this requirement could lead to disqualification from the RFP process.

## 2.4 Open Records

City will work to keep all replies and bid prices confidential, however, City considers all information, documentation and other materials requested to be submitted in response to this solicitation to be of a non-confidential and/or non-proprietary nature and therefore shall be subject to public disclosure under the Texas Public Information Act (Texas Government code, Chapter 552). Notwithstanding the foregoing, disclosure of information related to this solicitation shall be made only after a contract is awarded.

**2.5 Award of Contract**

City shall reserve the right to award a contract for all or any of the requirements in this Request for Proposals or to not award any contract, according to what is in the best interest of the City.

**2.6 Response Irregularities**

Proposals that are qualified with conditional clauses, alterations, and items not requested in the RFP documents, or irregularities of any kind are subject to disqualification by the City at its option.

**SECTION 3  
SCOPE AND BACKGROUND**

**3.1 Scope**

The City is soliciting proposals to meet its electric power requirements for all its facilities that are subject to competition. The City is currently contracted through November 30, 2017. The City is seeking a five year power supply agreement starting on December 1, 2017. The successful respondent must be able to provide a reliable supply of electric power and associated services to enable the City to meet its continuous and instantaneous demands and be able to meet load growth.

**3.2 ESID Numbers**

[See Exhibit A]

## SECTION 4 RESPONDENT QUESTIONNAIRE

The Respondent recognizes that in selecting a provider of the requested services, City will rely, in part, on the answers provided in response to this Section.

### 4.1 Company Profile

A. Name of Respondent: \_\_\_\_\_

B. Type of Operation: Individual\_\_\_\_ Partnership\_\_\_\_ Corporation \_\_\_\_  
Government\_\_\_\_

C. REP Certification Number: \_\_\_\_\_

D. Is your company currently in default on any loan agreement or financing agreement with any bank, financial institution, or other entity? If yes, provide details.

E. Provide any details of all past or pending Notices of Violations at the Texas Public Utility Commission naming your company in the past three years.

F. Provide a financial rating of your company (such as a Dun & Bradstreet analysis). Respondents may be required to submit a copy of their most current audited financial statements after initial review of responses.

G. Provide a customer reference list of at least three (3) organizations for which you currently provide your products/services or have provided products/services of the type and scope requested herein in the ERCOT market over the past five years. References must include organization name, contact person, telephone number and length of business relationship.

### 4.2 Service Questionnaire

A. Is there a Load Swing/Bandwidth restriction in the contract?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please describe below with associated costs

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B. Is there a restriction on the number of meter adds/deletes included in the contract?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please describe below with associated costs

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C. Does the contract include any billing guarantees or customer protections in addition to those provided by the PUC Substantive Rules?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please describe below

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D. Which of the following features do you offer through a customer web portal?

- \_\_\_\_\_ PDF's of invoices
- \_\_\_\_\_ Ability to download invoice data into Excel
- \_\_\_\_\_ Submit add and drop requests electronically
- \_\_\_\_\_ Other (describe)

#### **4.3 Customer Service / Billing**

A. Will you provide a dedicated customer service team specific to this contract (as opposed to a general 1-800 number)?

\_\_\_\_\_ Yes \_\_\_\_\_ No

B. Does invoicing occur during a consistent date range each month or on a rolling basis?

\_\_\_\_\_ Consistent Basis \_\_\_\_\_ Rolling Basis

C. At the time of invoicing, is a missing meter read omitted from invoicing or billed based on an estimate to be trued up later?

\_\_\_\_\_ Omitted from Invoice \_\_\_\_\_ Estimated



D. Can contracted meters be broken out into separate billing groups that can be invoiced separately?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, can all groups be invoiced on the same day?

\_\_\_\_\_ Yes \_\_\_\_\_ No

#### 4.4 Fee Information

A. Respondent certifies that the energy price submitted does not include any embedded broker fees, aggregation fees, agent fees or other fees that are paid by REP to agents or other parties based on City's energy usage.

B. In addition to the energy rate submitted in our response, Seller shall also be subject to the following additional fees, which will be clearly stated on bills to the City, separate from other charges.

\_\_\_\_\_ Broker Fees (cents per kWh)  
\_\_\_\_\_ Aggregation Fee (cents per kWh)  
\_\_\_\_\_ Agent Fee (cents per kWh)  
\_\_\_\_\_ Other Fee (cents per kWh)

If any fees are present, please describe the purpose of these fees below and what services the City will receive for these services?

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Are these fees fixed for the term of the contract?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If no, please describe below

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- C. Are there any additional fees for customer services, billing services, or other services provided or offered to City, including those services addressed in 4.2 and 4.3 above?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please describe below

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Are these fees fixed for the term of the contract?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If no, please describe below

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- D. Will Respondent's contract include a regulatory or material changes clause or similar clause that can result in adjusting the fixed energy price provided under the contract or other components of pricing during the term of the agreement?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, please describe below

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Company Name: \_\_\_\_\_

Signature of Authorized Representative: \_\_\_\_\_

Date: \_\_\_\_\_

## **SECTION 5 PRICING**

- 5-1** The City will evaluate responses to determine which are most acceptable based on the factors indicated in Section 4 of this RFP. Upon completion of evaluations, a short list of the most acceptable companies will be contacted at a later date to provide current executable prices.
- 5-2** All proposal pricing must be presented in a single fixed energy rate expressed per kWh for a discrete period using the form provided. If any portion of the price, including congestion charges (both intra-zonal and inter-zonal), ancillary services, system losses, or other items are not included or subject to adjustment, please provide a detailed explanation of such.
- 5-3** Any pricing information to be provided is to be as of the market close date specified by the City. The proposal must contain fixed energy price proposals for the period commencing on January 1, 2018 for terms of 5 years. All responses that fail to provide pricing in accordance with this section will not be considered.
- 5-4** All energy pricing must be “delivered” pricing to the City for firm, full requirements service and represent the entire charge on a per kWh basis for energy (including ERCOT imposed fees), except for non-bypassable charges levied by the appropriate transmission or distribution service provider and taxes; such charges which shall be passed on to the City on an as-billed basis, including B2B credits, and refunds, if any. Respondent must specify what taxes are not included in their proposal response and if these taxes would be billed separately on the invoice. Respondent agrees to not charge the City any taxes from which the City may be exempt.

# City of Weslaco Energy Price Response Sheet

	Calendar Yrs. 2018- 2022 All prices in cents/kWh	Price Subject to Adjustment (Y/N)
Energy Price		
Ancillary Services Costs Price		
Nodal Basis Costs (Congestion) Price		
Losses Price		
Broker Fee		
Aggregation Fee		
Other Fee (Describe)		
Other Fee (Describe)		
Total Price		

Other Information:

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Monthly Customer or Fixed Charge \_\_\_\_\_ per ESIID / Customer  
(circle one)

Switching Charge \_\_\_\_\_ per ESIID / Customer  
(circle one)

I certify that the above prices are good until 5 PM on \_\_\_\_\_, 2016  
and that all non-TDSP charges fees are included in the prices stated.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Company

\_\_\_\_\_  
Date